

Penalty not exceeding 20l. for refusing or neglecting to admit and assist district-surveyor and official referees. See *Enter on premises*.

Penalty not exceeding 5l. per day, and expenses, to be paid by occupiers, or by owners of various buildings, if roofs, chimneys, and projections from front walls be not begun to be secured within 36 hours after notice from district-surveyors. See *Chimneys, ruinous*.

PENALTIES for use of 1st rate buildings of the 2nd class, and of buildings of the 3rd class. Until certificate shall have been made by the official referees of their approval, or until 14 days after survey by them shall have elapsed without their having given notice in writing that they are not satisfied, it shall not be lawful to use any such building for any purpose whatever, without the express authority of the official referees under their hands and the seal of office of the Registrar of Metropolitan Buildings;—and if before the certificate of satisfaction shall have been made, or if such further 14 days shall have elapsed without due notice being given in writing, any building subject to special supervision shall be used for any purpose without such express authority in writing, then, on conviction thereof before two justices of the peace, the occupier of such building, or other the person by whom such building shall be so used, shall forfeit for each offence a sum not exceeding 200l. for every day during which such building shall be so used without having obtained such certificate of satisfaction, or such express authority as aforesaid; and in determining the amount of any such penalty, the justices are to have regard to the size and character of building, and to the nature and extent of danger involved in the use of such building, and to the amount of profit which might be derived from such use thereof. s. 15.

Penalties, or forfeiture. Any party may sue or proceed for the same; and if not otherwise specifically appropriated, the person so suing or proceeding is entitled to receive one-half thereof for his own benefit, and the other half shall be applied to her Majesty's use, and shall be paid to the sheriff of the county, city, or town where the same shall have been imposed; and all convictions before justices shall be returned to the Court of Quarter Sessions, under the provisions of Act, 3 Geo. 4, c. 46, for the more speedy Return and trying of Fines, Penalties, and Forfeitures, and Recognizances returned, and shall be paid to the sheriff of the county, city, or town, and shall be duly accounted for by him. s. 107.

Penalty not exceeding 50s. to be paid by any workman, labourer, servant, or other person employed in any building, or in the alteration, fitting up, or decoration of any building, who wilfully, without the direction, privity, or consent of the person causing such work to be done, shall do any thing in or about such building contrary to the rules and directions of this Act, upon conviction thereof before any two justices of the peace, upon the oath of one or more credible witnesses or witnesses; and if upon or immediately after such conviction any such forfeiture be not paid, then it shall be the duty of any two justices of the peace to whom application shall be made to commit the offenders, by warrant under the hand and seal of such justices, to the common goal for any term not exceeding one calendar month, at the discretion of such justices. s. 19.

PISAS, how affecting thicknesses of external walls. See *Including walls*.

PIPES of metal, or any other pipe or funnel for conveying smoke, heated air, or steam, must not be fixed against or in front of any face of any building in any street or alley, nor on the inside of any building nearer to any timber or other combustible material than 14 ins. Schedule F.

PLACES, for meaning of, see *Street*.

PLATFORM. See *Floor*.

PLURALITY. See *Singular number*.

POLICE magistrate. See *Awards, recovery of money under*.

POPLAR parish included within the operation of the Act. s. 3.

PORTICOES. See *Projections, external*.

PREJUDICE, no other person to be, through disqualification of official referee, or registrar. s. 95.

PRISONS, and places of confinement under inspection of Inspectors of Prisons, are under special supervision. Schedule B, Part I.

PRIVATE, if built in the yard or area of any building, or under any street or alley, must have a door, and be otherwise properly enclosed, screened, and fenced from public view. Schedule H.

PROFITS or rents, of ground and tenements, persons in the receipt of, taken within the meaning of the Act to be owners. s. 2.

PROJECTIONS buildings beyond the general line of buildings and from other external walls. How windows or other projections of any kind, from buildings already built or hereafter to be rebuilt, must neither be built with nor be added to any building on any face of an external wall thereof, so as to extend beyond the general line of the fronts of the houses (which general line may be determined by the surveyor), (except so far as is herein provided with regard to porticoes projected over public ways, and with regard to projections from face-walls and shop-fronts), nor so as to overhang the ground belonging to any other owner, nor so as to obstruct the light and air or be otherwise injurious to the

owners or occupiers of the buildings adjoining there-to on any side thereof. Schedule E. s. 5.

PROJECTIONS in danger, the district-surveyor to inspect at all times when needful, and to take the measures necessary thereupon. s. 68. District surveyor's fee for the inspection and removal of projections, 10s.

Projections, external, rules concerning. Porticoes projected over public ways. The portico or porticoes of any church, chapel, theatre, or other public building of the 3rd class: If the building of the same shall have been previously sanctioned by the official referees, by writing under their hands, and if objection be not made by any party interested within one calendar month thereafter, and if upon such objection or appeal, her Majesty's principal Secretary of State acting for the Home Department do not decide in favour thereof, then such projections may be built over the foot pavement of any street or alley which shall be 50 ft. wide at the least. Schedule E. s. 5.

Projections from face walls of buildings hereafter to be built or rebuilt. Copings, parapets, cornices to overhanging roofs, blocking courses, cornices, piers, columns, pilasters, entablatures, facias, door, and window dressings, or other architectural decorations, forming part of an external wall, may project beyond the general line of fronts in any street or alley, but must be of the same materials as are by this Act directed to be used for building the external walls to which such projections belong, or of such other proper and sufficient materials as the official referees may approve and permit. And all balconies, verandahs, porches, porticoes, shop-fronts, open inclosures of open areas and steps, and water-pipes, and all other projections from external walls not forming part thereof (except such part of shop-fronts, and the frames and sashes of the windows and doors, in reference to the necessary wood-work thereof), may stand beyond the general line of fronts in any street or alley, but they must be built of brick, tile, stone, artificial stone, slate, cement, or metal, or other proper and sufficient fire-proof materials; and they must be so built as not to overhang the ground belonging to any other owner, and so as to obstruct the light and air or be otherwise injurious to the owners or occupiers of the buildings adjoining thereto on any side thereof. Schedule E. s. 5.

Projections from front walls in danger of falling. See *Chimneys, ruinous*.

Projections from walls of buildings over public ways. The walls of all buildings hereafter to be built or rebuilt must be set back so that all projections therefrom, and also all steps, cellar-doors, and area-inclosures, shall only overhang or occupy the ground of the owner of any such building, without overhanging or encroaching upon any public way. Schedule E. s. 5.

Projections from insulated buildings. If such projections be at least 8 ft. from any public way, and at least 20 ft. from any other building not in the same occupation, they are exempted from the rules and directions of this Act. Schedule E. s. 5.

PROPER, questions relative to the meaning of the term, the official referees are to decide, being therefor required in writing. s. 92.

PROPERTY, sole, in party-structures (with that of the soil whereon they stand), vests in persons at whose expense they are performed till due contributions be made of their expense and of the fees of the district-surveyors and official-referees. s. 46.

PROSECUTIONS for preventing neglect or evasion of this Act—Notice of action. At any time within 3 calendar months after penalty or forfeiture by any default in complying with the provisions of this Act, shall have been incurred, any surveyor appointed or confirmed by virtue of this Act, and all other persons, may commence and prosecute proceedings for the recovery thereof, or for the recovery of the expenses of pulling down or altering of any building, against any owner, occupier, builder, workman, or other person, or for any default made in complying with the provisions of this Act: But if such proceedings be taken by any person except one of the surveyors, or except the official referees, then 7 days' notice of the intention to commence such proceedings must be given at the office of the surveyor of the district, and at the office of the Registrar of Metropolitan Buildings. s. 110.

PROVISIONS of Act, modification of, in cases of rebuilding upon old sites. See *Commissioners of Works and Buildings*.

PUBLIC buildings. See *Third class*.

Public way, buildings over: the part thereof which extends over such way, if rebuilt, must be separated from such public way, either by a floor or arch formed of brick or stone, or of other incombustible materials, subject to the consent of the official referees, or by a floor formed of iron girders and brick arches or stone findings, or by an arch formed of brick or of stone, which arch, if the span thereof do not exceed 9 feet, must be of the thickness of 9 inches at least, and if the span exceed 9 feet, of 13 in. at least; and such floor or arch, with its abutments, must be built in such manner as shall be approved of by the surveyor: but there must not be formed over any public way a ceiling of lath and plaster, or of lath and cement. Schedule D, Part V. District-surveyor's fee for inspecting arch or stone floor over public way, 10s.; not chargeable where the ordinary fees for building, or addition or alteration, are paid.

Public way, water from roofs, flats, gutters, projections, balconies or verandahs, not to drop upon. Schedule C.

Q.

QUARTER Sessions, general. See *Appeal from convictions for penalties*, for proceedings before.

QUAY-WALLS are under special supervision. Schedule B, Part I.

R.

RAILWAYS, buildings of, exempt from supervision. Schedule B, Part II.

RAISING OF BUILDINGS, hereafter built, lawful, provided the party and external walls and chimneys thereof, when so raised, be of the prescribed materials of and the several heights and thicknesses of the rate such buildings shall be of when so raised;—and buildings already built, although the walls thereof be not of the thicknesses prescribed by this Act, if, in the opinion of the district-surveyor, such walls be sufficiently secure to allow of the raising thereof, it shall be lawful to raise any such building already built to any additional height not exceeding 10 FEET;—and if any building be raised, the owner thereof shall build up, at his own expense, the party-walls between his own and any adjoining building, and all flues and chimney-stacks belonging thereto;—and if at any time the owner of an adjoining building make use of any portion of the part raised of such party-wall by building against it, or otherwise, the owner of the premises so first raised may claim and recover the cost of a proportionate part of the portion which shall be so used, together with the cost of such parts of the chimney-stacks as belong thereto. s. 31.

RATES of buildings of the 1st or dwelling-house class to be ascertained by area of plan, and by altitude, and by number of stories: of 2nd or warehouse class by altitude only. See *Area of buildings, heights of buildings, stories, number of*: also the several rates, 1st, extra 1st, 2nd, 3rd, 4th.

RATES AND CLASSES of buildings to be, in cases of doubt, difference, or dissatisfaction, determined by the official referees. s. 5.

Rates or classes, buildings not within. See *Classes or rates*.

REBUILDING, materials to be used in. If any external wall or inclosure be at any time hereafter taken down or otherwise demolished for the height of one story, or for a space equal to one-fourth of the whole surface of such external wall, every part thereof not built in the manner and of the several materials by this Act directed for external walls must be taken down, and rebuilt in such manner, and of such materials, and to all respects as by this Act directed for external walls hereafter to be built, according to the class and rate of the building to which such external wall or inclosure shall belong. Schedule D, Part II.

RECEIPT, signed with the Christian and surname of district-surveyor, fees to be paid by builder or owner upon tendering of. s. 77.

RECEIVER for any owner of houses within the limits of the Act, disqualified from being official referee or registrar. s. 95.

RECESSES, how affecting thicknesses of external walls. See *Including walls*. May be left in certain cases in walls, for which see *Classes and recesses*.

RECOGNIZANCE. See *Appeal from conviction for penalties*.

RECOMMENCEMENT of work after 3 calendar months' suspension, notice of must be given by the builder to the district-surveyor in the form Nos. 2 and 3, under penalty not exceeding 20l. s. 13. See *Builder*, for definition of the term.

REFUSAL to admit the district-surveyor or official referees to inspect premises renders the work liable to be abated as a nuisance. s. 13.

REGISTER (The registrar is to), all notices to the official referees, and all matters which come under their cognizance.

REGISTERED, rules prescribed by the examiners for examination of candidates for the office of district-surveyor, and granting them certificates, to be, by the Registrar of Metropolitan Buildings, after being approved of by the Commissioners of Works and Works. s. 66.

REGISTRAR OF METROPOLITAN BUILDINGS:—Appointment—Tenure of office—Rules—Seal—Report of objections—Authority of Commissioners of Works—Interim registrar. For the purpose of duly recording relaxations of the requisitions of this Act, made in pursuance of the provisions hereof, and of providing for the revision from time to time both of such relaxations and regulations, and of providing against the partial exercise of the powers of this Act, and for the more effectually providing for the due recording of the Acts of the official referees, and for exercising a due control thereon,—the Commissioners of Works and Buildings shall appoint a Registrar of Metropolitan Buildings to hold his office during their pleasure;—and subject to the provisions of this Act, the said commissioners shall make rules for regulating the execution of the duties of the office of the said registrar;—and such registrar shall keep a seal, and affix such seal to all documents made by the said official referees, and required to be sealed, and shall keep all the documents and records relating to the business of their office, and register the same: but if it appear to such registrar that any such documents are contrary to law, or not complete in any of the requisite forms, or are beyond the competence of the said official referees, either with regard to the provisions of this Act, or any rules or regulations prescribed for their guidance by the said Commissioners of Works and Buildings, the said registrar is to refuse to affix the seal, and thereafter, if the